

IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND

BRIAN McDANIEL,

Plaintiff,

v.

STATE OF MARYLAND, et al.

Defendants

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Case No. ELH-10-0189

JOINT MOTION FOR CONTINUANCE OF TRIAL

COMES NOW the Plaintiff, Brian McDaniel, and Defendants, Officers Arnold and Officers Iquerido, by and through undersigned counsel, and asks for an extension of time and continuance of trial in the above captioned case, and for reasons states:

1. Trial in the matter is scheduled for February 25-27, 2013, with a pre-trial conference scheduled for February 11, 2013.
2. On December 20th, 2012, a settlement conference in this case was held before Magistrate Judge Gesner in the U.S. District Court for the District of Maryland.
3. The result of that settlement conference was a tentative agreement to settle all claims in the case.
4. However, the settlement agreement is conditioned upon the approval of the State of Maryland's Board of Public Works.
5. The earliest anticipated date that the settlement can be placed on the Board of Public Works' agenda is March 6, 2013, a date which falls after the current trial date in this case.

WHEREFORE, Plaintiff and Defendants respectfully request this Court to extend time and continue the date of the trial in this matter to a date following March 6, 2013 so that the parties have time complete the potential settlement in this matter.

Respectfully submitted,

DOUGLAS F. GANSLER
ATTORNEY GENERAL OF MARYLAND

/s/
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/s/
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of January, 2013, a copy of the foregoing Consent Motion to Extend Time was served via ECF on: Kevin M. Joyce, Joyce and Associates LLC, 203 Romancoke Rd Ste 90, Stevensville, MD 21666 Attorneys for Plaintiff.

/s/
Stephen W. Thibodeau